

STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No.: 201120799  
Issue Nos.: 5026  
Case No.: [REDACTED]  
Hearing Date: April 20, 2011  
DHS County: Macomb

ADMINISTRATIVE LAW JUDGE: [REDACTED]

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon Claimant's request for a hearing. After due notice, a telephone hearing was held on April 20, 2011. Claimant appeared and testified. [REDACTED], ES, appeared on behalf of the Department of Human Services (Department).

**ISSUES**

Was the Department correct in its decision to deny Claimant's request for State Emergency Relief (SER) for rent?

**FINDINGS OF FACT**

The Administrative Law Judge, based upon the competent, material, and substantial evidence on the whole record, finds as material fact:

1. Claimant applied for SER for rent in the amount of [REDACTED] on January 11, 2011.
2. Claimant received no income.
3. Claimant was the sole member of the SER group.
4. The Department denied Claimant's request for SER for rent on January 15, 2011 due to shelter not being affordable.

5. Claimant requested a hearing on January 31, 2011.

**CONCLUSIONS OF LAW**

The SER program is established by 2004 PA 344. The SER program is administered pursuant to MCL 400.10, *et seq.*, and by final administrative rules filed with the Secretary of State on October 28, 1993. MAC R 400.7001-400-7049. Department policies are found in the State Emergency Relief Manual (ERM).

ERM 207, p. 1 dictates that SER is to be authorized only if the SER group has sufficient income to meet ongoing housing expenses. The total housing obligation cannot exceed 75% of the group's total net countable income.

In the present case, Claimant testified at the hearing that he is applying for Disability, but conceded that at the time of the application for SER for rent he was without income. Since Claimant did not have sufficient income to meet ongoing housing expenses, the Department was correct in its decision to deny Claimant's SER application for rent in the amount of [REDACTED]

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, finds that the Department was correct in its decision to deny Claimant's SER for rent, and it is therefore ORDERED that the Department's decision is AFFIRMED.

[REDACTED]

Administrative Law Judge  
For Maura Corrigan, Director  
Department of Human Services

Date Signed: May 19, 2011

Date Mailed: May 19, 2011

**NOTICE:** Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. Administrative Hearings will not order a rehearing or


201120799/SCB


reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

SCB/hw

cc:

  
Macomb County DHS (36)

  
Administrative Hearing System